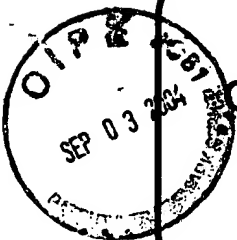


09-07-04

#RCE  
IRW

# REQUEST FOR

## CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/876,187
Filing Date	June 05, 2001
First Named Inventor	Lipton, Stuart A., et al.
Group Art Unit	1632
Examiner Name	FALK, A.
Attorney Docket Number	066654-0622

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other – Exhibit A thru F, attached to the Response to Final Office Action.

### 2. Miscellaneous

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502624.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$385.00
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other (additional claims, etc.)
- b. ☐ Check in the amount of \$\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

09/07/2004 SDENBOB1 00000105 502624 09876187  
01 FC:2801 385.00 DA

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Andrea L. Gashler, Ph.D.	Registration No. (Attorney/Agent)	41,029
Signature	<i>Andrea L. Gashler</i>	Date	September 3, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

"Express Mail Mailing Label Number EV 540266963 US" - I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Mail Stop RCE" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on **September 3, 2004**.

Name (Print/Type)	Jose R. Lopez, Jr.	Date	September 3, 2004
Signature	<i>Jose R. Lopez, Jr.</i>		



Docket No.: 066654-0622

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Lipton, Stuart A., et al.

Customer No.: 41552

Appl. No. : 09/876,187

Confirmation No.: 5845

Filed : June 05, 2001

Title : METHODS OF DIFFERENTIATING  
AND PROTECTING CELLS BY  
MODULATING THE P38/MEF2  
PATHWAY

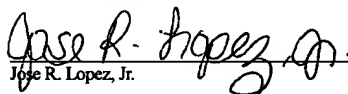
Grp./A.U. : 1632

Examiner: : FALK, A.

**CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)**

"Express Mail" Mailing Label Number EV 540266963 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Sep 3, 2004.

  
Jose R. Lopez, Jr.

**SUBMISSION UNDER 37 C.F.R. 1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the final Office Action mailed June 16, 2004, entry of the following amendments and consideration of the following remarks are respectfully requested.

A current listing of the claims begins on page 2 of this paper.

Remarks begin on page 5 of this paper.